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April 17, 2024

**Via ECF**

Honorable Kimba M. Wood, USDJ  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2540  
New York, New York 10007

**MEMO ENDORSED**

Re: *Patsy's Brand, Inc. v. I.O.B. Realty, Inc., et al.*  
SDNY Case No.: 99-cv-10175-KMW  
Opposition to Plaintiff's Intent to Submit Two (2) Replies

Dear Judge Wood,

We represent Respondent Brian Roffe, Esq. ("Attorney Roffe") with respect to Plaintiff's motion for contempt (Dkt. 397, *et seq.*) (the "Motion") in the above referenced matter. In accordance with Your Honor's Individual Practice Rule 1.A, we write to respectfully apprise the Court of Plaintiff's intention to submit two (2) separate replies in further support of its Motion, and to note our opposition to the same. We became aware of Plaintiff's intent to do so after reviewing Plaintiff's letter motion (Dkt. 428) requesting leave to file excess pages and further inquiring with Plaintiff's counsel as to why consent from the undersigned was not sought prior to the filing of the letter motion. Counsel confirmed over email of Plaintiff's intention to file one (1) reply in response to Attorney Roffe's opposition, and one (1) separate reply in response to the opposition of Isa "Frank" Brija, I.O.B. Realty, Inc., Nexhmije Nezaj, and Muharrem Memishaj.

Plaintiff's position is that despite filing a single Motion, it is entitled to submit two (2) replies because it received two (2) opposition briefs. Undersigned counsel is aware of no Federal Rule of Civil Procedure, Local SDNY Rule, or provision of Your Honor's Individual Practice Rules which would allow a movant to submit two (2) replies in further support of a single motion in the ordinary course. Plaintiff chose to file a single motion against all Respondents, and Attorney Roffe objects to Plaintiff's apparent attempt to circumvent Your Honor's Individual Practice Rule 3.E.

Attorney Roffe respectfully requests that the Court direct Plaintiff to submit a single reply in further support of its Motion.

We thank the Court for its attention and consideration as to this request.

**The request that the Court directs Plaintiff to submit a single reply in further support of its Motion is DENIED.**

**SO ORDERED.**

**Dated: New York York**

**April 17, 2024**

cc: Counsel of Record – via ECF

Respectfully Submitted,

**FURMAN KORNFELD & BRENNAN LLP**  
COUNSEL FOR RESPONDENT BRIAN ROFFE, ESQ.

Benjamin M. Oxenburg

/s/ Kimba M. Wood  
**KIMBA M. WOOD**  
U.S.D.J.